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NIE-41: PROBABLE DEVELOPMENTS IN THE KASHMIR DISPUTE  
TO THE END OF 1951

August 22, 1951

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Department of State Contribution

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ABSTRACT

War is not likely to be precipitated by India since India already holds most of Kashmir. But Indian intransigence in the face of seemingly endless UN proposals for solution of the Kashmir dispute has driven Pakistan leaders so close to frustration and desperation that if the Kashmir Constituent Assembly is convened, as it is very likely to be, and if the Graham Mission and subsequent UN action fails to produce in the minds of the Pakistanis even a faint hope of successful UN action in their behalf, then there is a real danger that they may attempt once again to resort to localized military action in Kashmir.

In the emotional public advance of Pakistan leaders, close to if not beyond the point of no return in their public utterances, lies, we believe, the greatest danger. If responsible Pakistan leaders were moved only by reason, logic and cold calculation there would probably be no war. But the degree to which their own emotional windup may propel them is both unpredictable and the key factor in the present situation.

Pakistan will not wish to precipitate an all-out war. However, if hope of any successful solution short of force of arms fades, it may attempt limited assaults in Kashmir, utilizing tribesmen and local Azad (free) Kashmir forces in an effort to focus world attention on its frustration and speed world action and world opinion to force India to take a less adamant position. Pakistan will hope to avoid an all-out war by claiming that the action in Kashmir is a spontaneous local uprising of Muslim residents unconnected with the Pakistan Government. It is probable, however, that India would counter by attempting to move into the West Punjab. Hostilities, in turn, would thus likely be extended to the Bengals. A resumption of communal slaughter would undoubtedly result.

If the Graham report, however, and subsequent UN action, can succeed in even holding out the hope to Pakistan that all doors of action short of force are not closed, it may, we believe, be willing to allow tensions to relax and permit the issue to run into 1952 unresolved. There was more danger that Pakistan would resort to force upon the convening of the Constituent Assembly prior to the Indian movement of troops to the frontier. Before this move Pakistan might have hoped to achieve quick and limited local successes with effective Indian retaliation questionable. Now it must be clear to Pakistan that any move upon its part will be strongly opposed and any gains will be at considerable cost. This realization, plus a UN door still held open by Graham, may yet avert war on the subcontinent.

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Hostilities on the subcontinent would have a very serious impact on US security interests. Extended costly hostilities, if they should occur, would so weaken both India and Pakistan as to make the maintenance of orderly government a matter of question. Even if the consequences of war should be something less than a Communist take-over, political stability in the subcontinent would be gravely threatened by a prolonged conflict and the ensuing chaos and economic and financial pressures would severely weaken, if not destroy, those groups presently most favorably disposed to US security interests in the area.

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PROBABLE DEVELOPMENTS IN THE KASHMIR DISPUTE TO THE END OF 1961

I. What is the current status of Kashmir?

Background - When India and Pakistan achieved full independence and Dominion status on August 15, 1947, there arose a series of conflicts rooted in the historical animosity between the Hindus and Sikhs, on the one hand, and the Moslems on the other. By far the greatest source of animosity between the two Dominions, however, was the question of the accession of the more than 560 princely states of the subcontinent, which were not partitioned or allocated to either Dominion by the Indian Independence Act. This Act terminated the connection between the British Crown and the princely states, but was silent as to the future of these states. The decision on accession was left to the rulers although official British statements indicated it was expected that the states would accede to one or the other of the Dominions and that such accession would be based on the geographical proximity to the Dominion of choice. However, there was no agreement on whether popular choice should be consulted. Pakistan took the position that the rulers had the final decision while India urged some arrangement for consulting popular choice. All of the states with Muslim populations border Pakistan and most of them acceded to that Dominion. Similarly, most of the states with Hindu or Sikh populations acceded to India. There were four major exceptions: a) Several small Hindu-populated states on the Kathiawar Peninsula whose Muslim rulers acceded to Pakistan, b) the important state of Hyderabad in central India with a Muslim ruler and a largely Hindu population, c) the Muslim-ruled and Muslim-populated state of Kelat on Pakistan's western border and d) the State of Jammu and Kashmir with a Hindu ruler and predominantly Muslim population. The rulers of latter three states announced their intention of remaining independent.

The Development of the Kashmir Issue - The State of Jammu and Kashmir had an overwhelmingly Moslem population and had close economic ties with Pakistan. The Maharajah was, however, a Hindu. At the end of August 1947, Moslem inhabitants of Poonch and Mirpur districts in Jammu rose in armed revolt against the Maharajah because of their fear that Kashmir would accede to India. State forces were sent to the area to restore order. Beginning in September, there were minor invasions of the Kashmir border by tribesmen from the Northwest Frontier Province of Pakistan. On September 29, Sheikh Abdullah, President of the pro-Indian Kashmir National Conference, was released from prison while leaders of the Moslem Conference remained behind bars. Abdullah, a close friend of Nehru, favored accession of Kashmir to India. Meanwhile, the "Azad (free) Kashmir Provisional Government" was formed in Kashmir in opposition to the Maharajah's Government, and sought the State's accession to Pakistan.

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Around October 22, a large number of armed Tribesmen from the Northwest Frontier Province crossed into Kashmir and advanced toward Srinagar, the summer capital of the State. Concurrently, with the attack of the Tribesmen, Moslem units of the Maharajah's army and police deserted, several rulers of petty states in the North which were feudatory to Kashmir declared their independence of the Maharajah and acceded to Pakistan, and the revolt in Western Kashmir spread and was aided by infiltrating Pakistan nationals. On October 26, the Maharajah of Kashmir addressed a letter to Lord Mountbatten, Governor General of India, stating that help was needed; that he intended to set up a popular government under Sheikh Abdullah; that he would accede to India. Mountbatten, on October 27, informed the Maharajah that the Government of India would accept the accession of Kashmir and stated that troops of the Indian army would be sent to Kashmir to help support the State forces in repelling the raiders. On October 27, Indian troops began entering Kashmir. Although the Indian forces succeeded in driving back the Tribesmen so as to relieve the threat to Srinagar, fighting continued and Indian troops battled Tribesmen and Azad Kashmir forces.

In Mountbatten's letter accepting the Maharajah's offer to accede to India, it was pointed out that "as soon as law and order have been restored in Kashmir, and her soil cleared of the invader, the question of the State's accession should be settled by a reference to the people". On October 28, 1947 Prime Minister Nehru said in a public address that his Government was prepared, when peace was restored in Kashmir, to hold a referendum under the auspices of an international organization such as the United Nations.

Following the Maharajah's accession, the Governments of India and Pakistan made various attempts by direct negotiation to reach agreement on means of solving the Kashmir problem. Negotiations between the two Governments during November and December 1947 failed to resolve the conflict because of disagreement (a) whether the Tribesmen and other intruders from Pakistan or the Indian troops should be the first to withdraw; (b) whether the Maharajah and Sheikh Abdullah should continue to administer the State until a plebiscite was held.

#### UN Activity - First Phase (1 January 1948 - 17 December 1949)

The First Phase of the Kashmir dispute, so far as its United Nations aspect is concerned, began when the Government of India brought the dispute before the Security Council on 1 January 1948, charging that a situation existed between India and Pakistan, the continuance of which would be likely to endanger the maintenance of international peace and security. India claimed that the situation existed because of the aid given by the Government of Pakistan to the invaders, both Pakistan nationals and Tribesmen from the Northwest Frontier territory. The Government of Pakistan denied the Indian charges and filed counter charges.

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On January 20, 1948, the Security Council established the United Nations Commission for India and Pakistan (UNCIP), with an initial membership of three which was subsequently increased to five: Argentina, Belgium, Colombia, Czechoslovakia, and the United States. The Commission was charged with the functions of investigating facts in the dispute, under Article 34, and exercising any mediatory influence, reporting how far the advice and directions of the Security Council had been carried out. A Security Council Resolution of 21 April 1948 instructed the Commission to proceed to the subcontinent and use its good offices to effect a truce and a plebiscite. The Commission, after months of negotiation was successful in obtaining agreement to a cease-fire effective January 1, 1949 and also to principles under which a truce and a plebiscite could be brought about. These principles were contained in UNCIP resolutions of 13 August 1948 and 5 January 1949 to which both parties subscribed. UNCIP was unsuccessful, however, in its efforts to bring about and proceed to the major objective of holding the plebiscite to determine the accession question. On 17 December 1949 the Commission reported its failure to the Security Council. It concluded that: "The issues of the disposal of the Azad-Kashmir forces, the withdrawal of troops, and the defense and administration of the northern area, had made of the truce an end in itself; the difficulty of disposing of these issues to the satisfaction of both Governments had been out of proportion to their real importance, if these issues were judged independently of other implications and as preliminary to a plebiscite." The UNCIP indicated that a 5-member body was not the most flexible and most desirable instrument to continue in the task, and suggested that a single person be appointed as negotiator.

Second Phase - The McNaughton Report (17 December 1949 - 12 April 1950) - This phase began on 17 December 1949, when the Security Council requested the President of the Council, General McNaughton of Canada, to meet informally with the two parties and to examine with them the possibility of finding a mutually satisfactory basis for dealing with the Kashmir problem. General McNaughton continued his efforts during the month of January, and reported to the Council on February 3 that his efforts had not been successful; that the Government of Pakistan had accepted his proposals in substance; that the Government of India did not agree on the important issues of the withdrawal of troops, the disposal of both the Azad forces and Kashmir State Forces, and the administration of the Northern Area of the State.

General McNaughton's 3 February 1950 report was used as the basis for the Security Council's resolution which recommended that a single United Nations Representative (to replace UNCIP) should be appointed to assist in preparing and to supervise the implementation of a demilitarization program. At its 12 April 1950 meeting the Security Council appointed Sir Owen Dixon of Australia as United Nations Representative.

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Third Phase - The Dixon Mission (April 1950 - January 1951) - Sir Owen Dixon arrived in New Delhi on 27 May 1950 and spent almost two months in talking separately to Indian and Pakistan officials on all levels as well as travelling extensively in the Kashmir area. Dixon found he could not obtain India's consent to any workable plan of demilitarization. He therefore decided to present other solutions such as taking the plebiscite by sections or areas and partition plus a plebiscite in the Vale of Kashmir. Pakistan agreed to discuss partition plus a plebiscite in the valley at a conference with Indian officials provided India would agree in advance to the conditions which would assure the fairness of the plebiscite. To this, of course, the Government of India refused to agree. Dixon then proposed that the UN take over the civil government of Kashmir, during a plebiscite limited to the Vale, excluding from the area all troops of every description. India would not accept this.

Dixon concluded:

1. Both parties were committed by their acceptance of the 5 January 1949 UNCIP resolution to the principle that the accession of Kashmir to India or Pakistan would be decided through the democratic method of a free and impartial plebiscite. The practical measures, such as demilitarization, not the general propositions, were the obstacles.
2. Unless India would agree to the details necessary to put into effect a fair and impartial state-wide plebiscite, there was no hope of bringing about such a general plebiscite.
3. A state-wide plebiscite was not desirable because it would precipitate a vast refugee movement of the Hindu or Moslem element losing the plebiscite.
4. The only possible hope for settling the dispute was partition plus some means of allocating the Vale of Kashmir.
5. The parties should assume the initiative in effecting a settlement, instead of placing the burden upon the Security Council or its representatives.
6. The Security Council should concern itself with pressing the parties to reduce their military forces on the cease-fire line, since this is the proximate danger to peace in the area.

The Kashmir National Conference - On October 27, 1950 the General Council of the "All Jammu and Kashmir National Conference" adopted a resolution which was moved by Sheikh Abdullah and endorsed by Prime Minister Nehru. This resolution condemned the "prolonged failure" of the United Nations to solve the Kashmir Dispute, and called for the taking of immediate

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steps to convene a constituent assembly in the Indian-controlled area of the State for the purpose of determining the future form of government and affiliation of the entire State, including Pakistan-held territory. Pakistan denounced this plan and in the following months some Pakistan officials in public addresses and in the press made implied threats of a holy war, of "jihad", if the elections for the Constituent Assembly should be held. Pakistan requested that the UN Security Council give urgent consideration to the Kashmir question, take measures to implement the parties' commitments under the 13 August 1948 and 5 January 1949 UNCIP resolutions, and call upon India to refrain from proceeding with the Constituent Assembly. However, thus far, neither Sheikh Abdullah nor Nehru have been deterred from their intention of holding the election for the Constituent Assembly. Dates presently set range from September 10 to September 30, varying by province. The Indian News Chronicle of January 20, 1951 stated that one-fourth of total seats in the Assembly would be left vacant for Pakistan held parts of Kashmir. It added, however, that "the decisions of the proposed sovereign body would be applicable to all parts of the State, including Pakistan-held areas, as they would reflect public opinion of an overwhelming majority of the State's population -- 78 percent".

The London Conference of Commonwealth Prime Ministers (January 1951) - Prime Minister Liaquat Ali Khan of Pakistan followed up his Government's approach in the Security Council by refusing to attend the Conference of Commonwealth Prime Ministers, unless the Conference would consider the Kashmir dispute. Liaquat's firm position forced the Commonwealth Ministers to agree to discuss the Kashmir dispute at the Conference, without placing it on the agenda. An official statement issued at the conclusion of these informal talks indicated that they were unsuccessful. Liaquat, in a press conference, disclosed that three alternative proposals advanced by the Commonwealth Prime Ministers to ensure the security of Kashmir during the plebiscite period, were accepted by him but rejected by Nehru:

- (a) Some of the other Commonwealth countries should provide and pay the expenses of a Commonwealth force to maintain order;
- (b) A joint Indian-Pakistan force should be set up;
- (c) The Plebiscite Administrator would be authorized to raise a local force from among the Kashmiris.

The British Foreign and Commonwealth Relations offices concluded, as a result of the failure of these discussions and Nehru's adamant intransigence, that it was necessary to press for the earliest possible action in the Security Council.

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UN Fourth Phase - The Graham Mission (1951) - The UN Security Council on 30 March 1951 adopted a resolution sponsored by the US-UK delegations, which reaffirmed in its preamble the desire of the parties to settle Kashmir's future through a plebiscite conducted under UN auspices, and provided for the appointment of a new UN representative for India and Pakistan to succeed to the place vacated by Sir Owen Dixon. The UN representative was instructed to proceed to the subcontinent and, after consultation with the Governments of India and Pakistan to effect the demilitarization of Kashmir on the basis of the 13 August 1948 and 5 January 1949 UNCIP resolutions or to obtain the parties' agreement to a demilitarization plan. The UN representative was also instructed to report to the Security Council within three months from the date of his arrival on the subcontinent. If at that time he had not effected demilitarization or obtained the parties' agreement to a demilitarization plan, the UN representative was to report to the Security Council those points of difference between the parties which he considered must be resolved to enable such demilitarization to be carried out. The parties were called upon, in the event their discussions with the UN representative failed in his opinion in full agreement, to accept arbitration upon all outstanding points of difference as reported by the UN representative.

Mr. Frank Graham, former U. S. Senator and college president, was appointed UN representative and arrived in the subcontinent on June 29, 1951. He is due to report to the UN Security Council by September 29, 1951, though he may, of course, request a delay.

Recent Military Moves - Over the past two months tension between India and Pakistan has been greatly increased by a series of military moves by both nations, which in each case was justified on the ground that it was undertaken only to counter a previous move by the other, but which has now resulted in almost all of the combat troops of both facing each other in large and threatening border concentrations.

Indian armed forces totaling over 460,000 men outnumber by about two to one, both in personnel and in material, the Pakistan armed forces which total over 240,000 (including Azad Kashmir units). On the Indo-Pakistan border in the Punjab 46,000-50,000 Pakistan troops face 75,000-90,000 Indians, and here also all the armor of both forces is concentrated, one Pakistan armored brigade opposing one Indian armored division and one Indian armored brigade. In Kashmir, Indian forces of 65,000 are opposed by 19,000-20,000 Pakistan troops, who are backed up by one Pakistan infantry division of 18,000 held in reserve at Peshawar, 100 miles west of the front. In East Pakistan, Indian forces of 25,000 in two groups, are facing Pakistan troops of about 11,000.

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## II. Objectives of India and Pakistan in Kashmir

A. Indian Interests in Kashmir - India has a five-fold interest in Kashmir. 1) Historically the leaders of the Congress Party, and particularly Gandhi and Nehru, supported the development of a popular movement in Kashmir and the demand for the replacement of the Hindu Maharajah by a responsible government that would represent the predominantly Muslim population of the State. Congress Party support for Sheikh Abdullah and the local Kashmir movement throughout the 1930's and 1940's was part of the party's general campaign in favor of the development of popular governments in the princely states during the pre-partition period when the Muslim League supported the princely rulers. Congress Party support for the popular movement in the states was not confined to moral encouragement but involved vigorous publicity and the personal aid and participation of top Congress leaders. Both Gandhi and Nehru took part in popular demonstrations in Kashmir against the Hindu Maharajah, notably in the Quit Kashmir campaign launched by Sheikh Abdullah against the ruler in 1946, which was put down by wide-scale police action. Accordingly, the Congress Party Government and Nehru in particular have strong political ties and personal associations with Kashmir's National Conference Party whose appeal for Indian aid against the irregular invasion from Pakistan in October 1947 was matched by the general lack of popular welcome for the invading forces. 2) Closely related to its historical interest in Kashmir is the Congress Party Government's concern to demonstrate that India is a secular state and that there are important Muslim groups who did not support the Muslim League demand for Pakistan. Again, both Gandhi and Nehru played prominent roles in the Congress Party's long campaign for Hindu-Muslim cooperation and in the adoption of a policy of a secular state.

These two interests undoubtedly account for Prime Minister Nehru's adamant stand on Kashmir; viz., his desire to see his life-time support for the popular movement in Kashmir and for Hindu-Muslim unity vindicated. Jinnah's rejection of Nehru's suggestion of plebiscite at the time of the October invasion in 1947 appears to have convinced the Indian Prime Minister that Pakistan recognized that the invaders were not being welcomed in Kashmir and that it could not win a plebiscite in the state without additional military intimidation. With the progress of the dispute over Kashmir, the over-riding interest of most of the Congress Party and of the people generally, has now become one of national prestige, vis-a-vis Pakistan. There is general and full support for the government's position in Kashmir, so that the issue does not play a major role in Indian domestic politics. There is general determination to resist any renewal of the fighting by Pakistan and support for India's indefinite occupation of the state along the present cease-fire line. In addition to its three major interests, India also has an interest in protecting the security of the non-Muslim minority of the state and the more minor interest of completing her line of defense against Tibet.

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India has virtually no economic interests in Kashmir. The state has some valuable forestry resources but India has neither the plans nor the prospects of exploiting these on any significant scale. Indian-occupied Kashmir also commands certain rivers feeding into Pakistan but the engineering difficulties of diverting these waters away from Pakistan make it unlikely that India could exert any significant economic pressure on Pakistan through control of the water supply.

B. Pakistan's Interests in Kashmir - Pakistan's interests in Kashmir are as deeply grounded as those of India and popular excitement over the issue is noticeably more intense. Pakistan's major interest in the state is to vindicate its claim to all the Muslim-majority areas in the subcontinent -- the claim which was the basis for Pakistan's own foundation. It is this basic claim which has made the Kashmir dispute a major issue of conflict with India, far outshadowing all other disputes. As in India the dispute has also become one involving national prestige, both because of the military troops involved and the long diplomatic exchanges before the UN. National prestige is also involved in the Pakistan's government's continuous insistence that it would not rest until it had won the entire state. Pakistan also has a serious interest in assisting Pakistan's supporters in the state, large numbers of whom are concentrated in Pakistan-occupied territory and are related to Pahari, Punjabi and tribal groups on the Pakistan side of the border. Finally, Pakistan has a security interest in completing its line of defense against incursions from the north through Sinkiang by maintaining the integration which it has achieved between the Pakistan-occupied tribal territory of Gilgit and the rest of the northwest frontier tribal area. Economic interests are not a significant factor in the dispute as Kashmir has few resources which Pakistan could readily exploit.

There is enthusiastic popular support in Pakistan for the government's adoption of a firm position on the Kashmir issue. The announcement of the Kashmir government's intention to convene a Constituent Assembly and the implication that this carries of finalizing the status quo is viewed as a challenge in Pakistan. Government officials have taken the initiative in announcing that Pakistan will not accept any such attempt to finalize the status quo. Liaquat Ali enjoys general public confidence and respect and his demonstrated ability effectively to suppress opposition groups makes it unlikely that his government would fall in the event that Sheikh Abdullah's government proceeded with the Constituent Assembly. Nevertheless the prestige of both government and country may seem to the Pakistanis to require some dramatic action which will either seriously handicap or discredit the proposed Assembly.

C. Minimum demands of India and Pakistan - Although both India and Pakistan claim the right to the entire state both would probably be prepared to accept less. India has made it clear that it is prepared to accept the present cease-fire line which includes the Kashmir area occupied by the bulk

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of the National Conference Party supporters and portions of the Jammu and Ladakh areas occupied by most of the state's non-Muslim minorities. Pakistan would also probably be prepared to confine itself to Ladakh and the Muslim majority districts in the rest of the state. Both these minimum claims, however, include the Kashmir Valley area and its hinterland, the Buddhist part of Ladakh. While both might agree to a partial plebiscite, confined to the disputed districts, neither side appears prepared to accept the plebiscite conditions insisted on by the other and either side would have difficulty in receding from any territory which it now occupies except through military force.

### III. India's Capabilities and Probable Intentions

A. Indian Military Capabilities - Although India's military forces are double those of Pakistan, Indian government leaders, and particularly Nehru, have repeatedly stated that they do not want war with Pakistan. Field reports also indicate that India recognizes that such a war might be prolonged and costly and would end the country's present hopes for economic development. The present cease-fire line was achieved after a year of fighting and although there has been some strengthening of the forces on both sides both Indian Government and military leaders have increasingly tended to accept the line as a permanent one, apparently in the view that difficulties of terrain would continue to prevent India from making any significant gains in Kashmir without invading Pakistan. India might hope to make some important gains with the aid of a limited invasion of Pakistan, but the fact that India already occupies the areas in which it is most vitally interested and the desire to avoid involvement in a general war with Pakistan have acted as deterrents. Although Afghanistan would probably attempt to exploit Pakistan's difficulties the relative weakness of the Afghan military forces and the government's own domestic difficulties make it unlikely that Afghan action could seriously handicap Pakistan.

B. Indian Political Capacities - With the convening of the Constituent Assembly, Sheikh Abdullah with Indian support is preparing to convert his present caretaker administration into a more representative government. There are four main advantages which both Abdullah and India may hope to gain from the undertaking to support a representative assembly and the subsequent reorganization of the government. 1) To strengthen India's formal ties with the state by a declaration of a popularly elected assembly favoring accession to India, as India's ties currently rest on the accession of the Hindu Maharajah, now retired, and the informal appeal for aid from Sheikh Abdullah, the leader of the National Conference Party; 2) to demonstrate India's readiness to support popular government in Kashmir as a contrast to the allegedly limited powers exercised by the Azad government in Pakistan-occupied areas; 3) to give as wide a group as possible a stake

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in the present regime, thus diverting attention from the question of accession to internal political developments; and 4) to convert the government from a temporary to a permanent basis and pave the way for accepting the present cease-fire line as a permanent boundary.

The fact that India is supporting the plan for a state constituent assembly appears to indicate that Delhi does not expect that the UN or any other outside source is likely to cause Pakistan to withdraw its forces from the state and that India is prepared to accept the present partition of the state as final.

C. Indian Intentions - India's obvious interest in peaceful conditions for the elections for the Constituent Assembly announced for Kashmir, the fact that India holds most of Kashmir including the much prized and desired Vale, India's awareness that a prolonged war would endanger economic stability, indicate that the country does not particularly wish to become involved in war. In fact, as the first announcement of the Kashmir election plans immediately provoked belligerent threats by Pakistan the original movement of troops may well have been designed as protection against any Pakistan attempts to interfere with the elections. With the mounting hostility of the press and of public officials in Pakistan, however, India's Prime Minister has announced that India will use all of its resources to resist any military action by Pakistan and that any attack on Kashmir will be viewed as an attack on India itself. This warning appears to have a two-fold purpose: 1) to deter Pakistan from any military action against Kashmir and 2) to disabuse Pakistan of any idea that India might be afraid of war with Pakistan. Last year Nehru invited Pakistan to join India in declaring that neither side would attempt to settle its mutual disputes by resort to war. Pakistan's rejection of the offer and the subsequent militancy in the tone of official Pakistan statements led to the belief in India that Pakistan had interpreted Nehru's overture as a sign of Indian weakness and an admission that India feared it would lose ground in Kashmir if Pakistan were to resume the campaign.

D. Pros and Cons of Resorting to War - India is not likely to precipitate war. Apart from its strong desire to build itself up internally in order to play a major role in world affairs, there is the fact that it already holds the Kashmir areas in which it is most vitally interested, its recognition that an all-out war with Pakistan would not mean any quick or easy victory but would involve heavy losses in men, money and materials, and the danger of internal communal riots and the consequent strain on relations with Muslims in Kashmir. There is little question, however, that the Nehru government would win tremendous prestige and support if it could gain some Pakistan territory and inflict some important military defeats. There would be little prestige or advantage for the government, however, if the Indian army encountered heavy losses

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or got bogged down in a stalemated campaign. Accordingly, if Pakistan should renew the attack in Kashmir it seems probable that the Indian government would for political reasons attempt to move into West Punjab, concentrating on some limited objectives that India might hope to hold permanently, such as the district of Sialkot which commands important southern approaches into Kashmir and perhaps certain Sikh holy places nearest to the present Indo-Pakistan border. Fighting might also break out in East Pakistan.

E. There has been general popular support for the Indian Government's warning to Pakistan that India is prepared for war if Pakistan wants it. However, this has not been followed by any general press campaign demanding war with Pakistan. Such as appeared last year in the West Bengal press during the communal trouble in East Pakistan. Furthermore, reports from the field do not indicate any noticeable increase in communal tension. On the contrary, India's interest in promoting a good atmosphere for the Kashmir elections and in bolstering its claims to the state can be expected to result in special efforts to suppress militant communal elements. Any significant increase in communal tension and in the out-flow of refugees from East Pakistan, however, would provoke immediate reactions in West Bengal, reviving the demand for military intervention or a retaliatory war.

F. India may be expected to continue to refuse all suggestions for a plebiscite in Kashmir unless the conditions include the complete withdrawal of Pakistan's forces and the disarming and disbandment of all militant groups in the state, effective guarantees against all religious appeals or efforts to whip up religious fanaticism and recognition of Abdullah's record as the leader of the popular movement in the state. Accordingly, there appears to be little chance of its accepting alternative UN recommendations. Instead India can be expected to continue with its present program of arranging for the conversion of the Kashmir government in the Indian-occupied areas from a temporary to a permanent basis.

#### IV. Pakistan's Capabilities and Probable Intentions

B. Pakistan's Political Capabilities - Pakistan's political capabilities for obtaining a favorable solution of the Kashmir problem are very limited. The UN provides Pakistan with its principal non-military means of seeking a favorable settlement, but it appears highly doubtful whether the UN can find common ground for such a settlement before the end of 1951. Both India and Pakistan have agreed in principle that the question of Kashmir's accession should be decided by an impartial plebiscite under UN auspices but neither country is prepared to accept the plebiscite conditions insisted on by the other. In view of this fact there seem to be little possibility of the Graham Mission's getting the two countries to agree on a procedure for holding the plebiscite.

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Pakistan leaders although far from confident of the UN's ability to solve the Kashmir problem apparently have not yet abandoned all hope that a satisfactory solution may eventually be reached. There even seems to be some slight hope that the Graham Mission may succeed in winning sufficient concessions from Nehru to break the present impasse and to make some progress possible. At least one Pakistan Minister has expressed the opinion that Nehru is not completely insensitive to world opinion regarding Kashmir and that he might modify his intransigent attitude if Graham and the UN exerted sufficiently strong pressure.

Pakistan has not as yet been able to enlist sufficient support from the Commonwealth or elsewhere abroad to exert significant pressure on India for a settlement of the Kashmir issue. However, certain Commonwealth countries have made a proposal which if carried out might make possible some progress toward a solution. This proposal contemplates the replacing of the Indian and Pakistan troops now in Kashmir by Commonwealth forces. India would be unlikely to accept such a proposal, but Pakistan might possibly agree to having its forces in Kashmir replaced by Commonwealth troops even if the Indians refused to withdraw theirs. This action by Pakistan would leave India with little excuse for then refusing to withdraw its own troops from Kashmir.

C. Pakistan's Probable Intentions - If Pakistan's leaders were motivated solely by rational and prudential considerations there would be little likelihood of Pakistan's resorting to arms as the grounds for such a course are far out-weighed by those for avoiding war. Unfortunately, however, there is a danger that Pakistan's leaders may be carried away by their emotions. If the Kashmir Constituent Assembly elections are held and go unrebutted by the UN and the Graham Mission report is unsatisfactory to the Pakistanis their feelings may be heightened to the extent that emotion overcomes reason. As long as UN action holds out some hope to the Pakistanis of their ultimately achieving their goal in Kashmir by peaceable means, Pakistan may refrain from deliberate resort to arms. There is, however, always the possibility in view of the present high state of tension between India and Pakistan that border clashes, communal disturbances or other untoward incidents may set off hostilities between the two countries. In order to sustain the flagging hopes of the Pakistanis for a peaceful settlement of the Kashmir issue in the event Graham is unable to work out some sort of mutually satisfactory agreement between India and Pakistan, the UN would probably have to take action strongly condemning the Constituent Assembly elections and placing the onus for the failure of the Graham Mission on India, and indicate its intention of making further efforts to achieve a settlement of the Kashmir problem.

It is believed that the top Pakistan leaders do not want a war with India as they realize that such a war would be economically ruinous and might even result in ending Pakistan's existence as an independent state.



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Nevertheless if they became convinced that there was no hope of gaining possession of Kashmir (or at least the greater part of it including the Vale) by non-military means they might as a last desperate expedient or from rage and frustration resort to arms. If the situation should come to this, the Pakistanis would presumably attempt limited assaults in Kashmir, utilizing tribesmen and local Azad Kashmir forces and hope to limit the fighting to the area.

Neither Pakistan's military actions nor the political statements of its leaders since the redeployment of India's troops has as yet indicated a desire to provoke war. They have, however, shown no lack of readiness to fight should it become necessary. The statements of Pakistan political leaders have moreover been fiery and far from conciliatory in tone and have in every possible way sought to put India in the wrong. All the old charges stemming from India's past actions in Kashmir have been reiterated again and again. India's use of force to implement the accession of Junagadh and Hyderabad and India's recent intervention in Nepal have been condemned while, with regard to the present, India has been accused of using a show of force to strengthen its hold on Kashmir and of wishing to destroy Pakistan altogether.

D. Pros and Cons of a Deliberate Resort to War by Pakistan - There appear to be three considerations that might lead Pakistan deliberately to undertake armed actions in Kashmir:

- (1) The Pakistanis might hope that by reopening hostilities in Kashmir they could succeed in focusing world attention on the Kashmir issue and stimulate the UN into taking some strong action.
- (2) Popular pressure to free the Muslims in Kashmir from Hindu domination.
- (3) Utter hopelessness and frustration regarding Kashmir which might cause the Pakistan leaders to prefer a financially ruinous and perhaps devastating war with India to allow India to gain Kashmir without a fight.

These three considerations are none of them, objectively and rationally considered, strong. Pakistan's chances of winning Kashmir by force of arms are poor. Prior to the redeployment of Indian troops in early July a hasty thrust by Pakistan in Kashmir might have succeeded in upsetting the status quo and resulted in the establishment of a new cease-fire line with additional areas of Kashmir under Pakistan control. But conditions have now changed. Any attempt by Pakistan to take military action in Kashmir will now be promptly met by strong Indian resistance. But even if, as is doubtful, Pakistan could confine hostilities to Kashmir and avoid all-out war,

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there seems little chance that Pakistan could greatly enlarge its present holdings. Moreover, it appears likely that India, as it has threatened, would reply to any Pakistan thrust in Kashmir by a counter thrust in the Punjab and possibly East Pakistan.

The possibility of Pakistan public opinion forcing the Government of Pakistan to undertake military action in Kashmir is not easy to estimate. Observers in the field are agreed that public opinion, although aroused and quite ready to support the Government should it declare war on India, is not at present at such pitch as to force the Government to take military action. The failure of the Graham Mission and the holding of the Kashmir Constituent Assembly elections are events which, if they occur, will further arouse popular feeling but whether to the point of forcing the Government to war is uncertain. However, in view of the fact that the Government of Pakistan has in the past been able to exert a very considerable measure of control over popular sentiment and opinion, it appears probable that the Government of Pakistan can, if it wishes, keep popular feeling under control. The danger of its getting out of hand cannot, however, be entirely dismissed and that there is a possibility of war from this cause cannot be denied.

That Pakistan's leaders would be willing to risk the very existence of their young nation by going to war with India for the possession of Kashmir is, despite the evident irrationality of such position, an eventuality that cannot altogether be dismissed. There is no question but that virtually all Pakistan leaders (and the great majority of their followers) feel strongly that the non-inclusion of Kashmir in Pakistan would violate the fundamental principle of Pakistan nationalism and is a situation which they could never willingly accept as final. It is therefore not inconceivable that the fanaticism which lies in the heart of Islamic Pakistan might become aroused to the point of counterbalancing reason and prudence with the result that Pakistan would move against India regardless of the weighty reasons for avoiding such a course.

Chief among the considerations which would lead Pakistan to seek to avoid war are India's greater military strength and resources and the fact that Indian army stands ready to move against Pakistan at any time. Not only is Pakistan's initial position less favorable than that of India, but what is more important, its ability to obtain additional military supplies is much inferior. Unlike India, Pakistan has virtually no munitions industry and a UN embargo on the shipment of arms to these countries in the event of an outbreak of hostilities between them would affect Pakistan far more adversely than it would India as West Pakistan has but one port (Karachi) through which military supplies might be smuggled.

In view of these facts Pakistan has little chance of winning a war with India and would inevitably suffer severe losses, both human and economic.

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The difficulty of defending East Pakistan because of its exposed position is doubtless a consideration that influences the Pakistanis in the assessment of their strength vis-a-vis India but it cannot be expected to act as a major deterrent to war.

Pakistani leaders probably have no great fear of attack by Afghanistan in the event of war with India and are therefore not measurably deterred on this account. Nor are the Pakistanis sensitive in any marked degree to the fact that war between India and Pakistan would weaken the area in the face of a Soviet threat. Neither are Pakistanis leaders seriously deterred by the possibility of adverse world and Commonwealth opinion.

E. The possibility of the Pakistan army's getting out of control and taking unauthorized action in Kashmir, although probably not great, does exist. Considerable dissatisfaction with the government in general and with its Kashmir policy in particular is known to exist in army circles. Indeed the anti-government plot nipped in the bud by the Government of Pakistan last spring was primarily the work of a group of dissatisfied Pakistan army officers who planned the renewal of hostilities in Kashmir as part of the basis of their coup. Some communists were involved in the plot, but the degree of communist participation is not altogether clear. The Government of Pakistan dealt vigorously with the conspirators and on the basis of the communist involvement has locked up most of the important communist leaders. By these actions the Government has lessened, although probably not entirely eliminated, the possibility of a second attempt on the part of the army to take unauthorized military action.

#### V. UN Courses of Action Likely to Affect the Situation up to the End of 1951

The prospects that the Graham Mission may succeed in arranging a demilitarization of Kashmir or even agreement on plans for the demilitarization in accordance with the March 30, 1951 Security Council resolution are poor. UN representative Graham has reported a cooperative attitude in Pakistan but regards Nehru as the chief obstacle to a settlement. There is a slight chance that some appeal to the combination of vanity and idealism in Nehru's makeup might be effective through offering to him a unique opportunity to set an example to the world as an exponent of peace. The chance must, however, be reckoned a slim one.

Should Graham fail it is unlikely that the Security Council could effectively apply force to effect a solution of the Kashmir imbroglio. If hostilities broke out, however, the Security Council would probably find itself compelled to issue a new cease-fire. In the absence of hostilities before the end of 1951 one or more of the following steps might be taken.

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1. Consideration of the findings and recommendations of the Graham Mission's report either by the Security Council or by the General Assembly, followed by such action by the UN as the Graham recommendations might suggest.

2. The Security Council might ask India and Pakistan for explanations regarding troop movements and call upon them to maintain an atmosphere favorable to the promotion of further negotiations.

3. The Security Council might develop a detailed statement of the exact way in which the Council believes the demilitarization and plebiscite should be carried out. The British, with whom this proposal originated, also suggested that once this step was taken the Security Council should, at least for the time being, make no further efforts to solve the Kashmir problem. This proposal was advanced by the British prior to the developments of June-July 1951.

4. In addition to evolving a detailed plan regarding demilitarization and plebiscite, some form of continuing mediatory machinery might be set up by the UN. This could take the form of a UN representative with an indefinite term of office who could report progress to the Security Council at specified periods. This possibility was a US addition to the British suggestion outlined above and was also made prior to the incidents of June-July 1951.

5. The Kashmir issue might be placed on the agenda of the General Assembly either in November or at the Seventh Session in 1952 and either with or without removing the question from the list of problems with which the Security Council is concerned. The UK UN delegation is reported to favor turning the Kashmir problem over to the General Assembly. Underlying such an action is the hope that India might be more sensitive to the weight of world opinion as expressed by the General Assembly than to the resolutions of the smaller Security Council which India probably regards as dominated by the US and UK.

6. The expansion of the UN military observer group and the extension of its patrols to those portions of the Indo-Pakistan border near which there are troop concentrations.

7. The placing of Kashmir under a UN trusteeship.

8. The establishment of a condominium.

9. The creation of a UN development and observation authority.

10. An attempt to get India and Pakistan to agree to administer existing territory along agreed lines, i. e., to accept de facto partition pending a de jure settlement.

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VI. What are the Probable Developments in the Near Future?

Tensions have mounted dangerously particularly in Pakistan. The degree to which Pakistan leaders have gone out on a limb publicly in their expressions concerning Kashmir is perhaps best exemplified by a recent speech of Liaquat Ali Khan. On August 13 he declared that Pakistan would never accept Kashmir as a part of Indian territory and stated that he would shed his own blood to defend Pakistan. In this public advance of Pakistan leaders, close to if not beyond the point of no return in their public utterances, lies, we believe, the greatest danger. If responsible Pakistan leaders were moved only by reason, logic and cold calculation there would probably be no war. But the degree to which their own emotional windup may propel them is both unpredictable and the key factor in the present situation.

War is not likely to be precipitated by India since India already holds most of Kashmir. But Indian intransigence in the face of seemingly endless UN proposals for solution of the Kashmir dispute has driven Pakistan leaders so close to frustration and desperation that if the Kashmir Constituent Assembly is convened, as it is very likely to be, and if the Graham Mission and subsequent UN action fails to produce in the minds of the Pakistanis even a faint hope of successful UN action in their behalf, then there is a real danger that they may attempt once again to resort to localized military action in Kashmir. Pakistan will not wish to precipitate an all-out war. However, if hope of any successful solution short of force of arms fades, it may attempt limited assaults in Kashmir, utilizing tribesmen and local Azad Kashmir forces in an effort to focus world attention on its frustration and speed world action and world opinion to force India to take a less adamant position. Pakistan will hope to avoid an all-out war by claiming that the action in Kashmir is a spontaneous local uprising of Muslim residents unconnected with the Pakistan Government. It is probable, however, that India will counter by attempting to move into the West Punjab. Hostilities, in turn, would thus likely be extended to the Bengals. A resumption of communal slaughter would undoubtedly result.

If the Graham report, however, and subsequent UN action, can succeed in even holding out the hope to Pakistan that all doors of action short of force are not closed, it may, we believe, be willing to allow tensions to relax and permit the issue to run into 1952 unresolved. There was more danger that Pakistan would resort to force upon the convening of the Constituent Assembly prior to the Indian movement of troops to the frontier. Before this move Pakistan might have hoped to achieve quick and limited local successes with effective Indian

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retaliation questionable. Now it must be clear to Pakistan that any move upon its part will be strongly opposed and any gains will be at considerable cost. This realization, plus a UN door still held open by Graham, may yet avert war on the subcontinent.

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VII. What Effect Could These Probable Developments Have on United States Security Interests?

War on the subcontinent would have a very serious impact on US security interests. Extended costly hostilities, if they should occur, would so weaken both India and Pakistan as to make the maintenance of orderly government a matter of question. Particularly severe would be the impact on the economy of India of a prolonged war accompanied by vast communal disturbances and the resulting increase in the severity of the refugee problem. In the four years since independence, India's basic problem of supporting a dense population with a backward and badly organized economy has become progressively more acute. The strains of war on a patchwork economy might be sufficiently disrupting to enable the Indian Communists with the aid of their Chinese comrades, to take over in India.

If the Communists gained control of India, neighboring states would be exposed to military threat from the flank. The Soviets would be enabled to threaten (if not completely dominate) the principal communications routes between Europe and the Far East in time of war, and Asian opinion would be driven toward the view that Communism represented the "wave of the future". Southeast Asia would probably fall completely under Communist domination. The relatively pro-Western governments of Pakistan and Ceylon would find it difficult, if not impossible, to take a firm position against Soviet or Chinese aggression even if strong Western military support were forthcoming. Neutralism would be greatly encouraged in Iran, the Arab Near East, and in the Philippines.

Not only would the West be deprived of the strategic and essential materials of South Asia such as manganese, mica, graphite, etc., but the probable fall of Southeast Asia with its rubber, tin, oil, and food surpluses would be an even more serious loss. Furthermore the probable immobilization of Pakistan would deprive the West of excellent air bases from which to bomb Soviet Central Asian industrial facilities in the event of an all-out war between the US and the USSR. A Communist India would immediately add to the military power of the Soviet bloc an army of about 400,000 men, a navy consisting of a cruiser, three destroyers, and miscellaneous smaller craft, and a small air force composed largely of World War II type aircraft. India is believed to have about 1,500,000 trained reserves and, given Soviet equipment, might, in time, develop an army comparable to that of the Chinese Communists.

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Even if the consequences of war should be something less than a Communist take-over, political stability in the subcontinent would be gravely threatened by a prolonged conflict and the ensuing chaos and economic and financial pressures would severely weaken, if not destroy, those groups presently most favorably disposed to US security interests in the area.

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APPENDIX A

CHRONOLOGY OF SIGNIFICANT EVENTS IN THE KASHMIR DISPUTE

1947

- October 20      Armed tribesmen from the Northwest Frontier Province entered Kashmir.
- October 26      The Maharaja of Kashmir acceded to India; He announced he would set up a popular government under Sheikh Abdullah.
- October 27      Lord Mountbatten, on behalf of the Government of India, accepted the accession of Kashmir to India and ordered Indian troops into Kashmir in support of the state forces. He also stated that as soon as law and order were established the question of accession would be finally determined by a "reference to the people".

1948

- January 1      The Government of India protested to the Security Council of the United Nations charging that Pakistan had aided the Kashmir invaders and asked United Nations help in preventing any further assistance.
- January 20      The Security Council established a United Nations Commission on India and Pakistan to investigate the facts in the dispute and to exercise a mediating influence.
- April 21      The Security Council passed a resolution instructing the UNCIP to proceed to the subcontinent, to place its good offices at the disposal of both governments and to aid in the restoration of peace and the holding of a plebiscite. The resolution also suggested the terms for troop withdrawal and the holding of a plebiscite.
- July 7      United Nations Commission on India and Pakistan arrived in Karachi.
- August 13      The Commission passed a resolution establishing the terms for withdrawal of troops and the conditions for a plebiscite. Resolution ultimately accepted by both India and Pakistan.

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1949

January 1            Informal preliminary cease-fire was ordered.

January 5            UNCIP passed resolution regarding the conditions necessary for assuring a free and fair plebiscite. Resolution accepted by both parties.

July                Cease-fire line demarcated.

December 17        The Commission reported to the Security Council its failure to bring about the major objective of holding a plebiscite. It called for the appointment of a single negotiator to continue efforts to bring the governments together.

December 17        The Security Council appointed Canada's General McNaughton, then Council President, to meet with the two parties. Discussions were carried on through January, 1950.

1950

February 3        General McNaughton reported that his efforts had been unsuccessful, that Pakistan had accepted his proposals but that India did not agree on the major issues.

March 14          The Security Council passed a resolution based on General McNaughton's February report, calling for the two governments to execute a demilitarization program within five months. Pakistan accepted the resolution, but India had major reservations.

April 12          Sir Owen Dixon of Australia was appointed United Nations representative. His appointment was accepted by both governments.

May 27            Sir Owen Dixon arrived in New Delhi to begin talks.

July 20-24        Joint talks held between the two Prime Ministers and Sir Owen Dixon. No agreement reached.

July-August        Sir Owen Dixon worked out a proposal for withdrawal of troops, partition, and plebiscite in the Valley only.

August 16        Nehru refuses Sir Owen's suggestions and his conditions for holding a plebiscite.

October-January   The beginning of efforts by the United States and the United Kingdom to find an equitable basis for a plebiscite.

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1950 (Continued)

October 10 Tentative United States-United Kingdom plan proposed.

October 27 General Council of the All-Jammu-Kashmir National Conference called for the convening of a Constituent Assembly in Kashmir.

December 14 Sir Zafrullah Khan protested to the Security Council action of the Kashmir National Conference.

1951

January 9-15 During the Commonwealth Conference in London, discussions were held regarding Kashmir. No agreement was reached, although the area of disagreement was alleged to have been narrowed.

February 21 The US-UK draft resolution was presented to the Security Council.

March 1 Sir B. N. Rau in the Security Council reasserted India's position, and reaffirmed India's acceptance of the August 13, 1948 and January 5, 1949 resolutions. Announced that his government was opposed to the US-UK resolution.

March 6 Sir Mohammed Zafrullah Khan voiced position of Pakistan, reaffirmed acceptability of present resolution and Pakistan willingness to accept arbitration to solve deadlock.

March 8 Ambassador Munz of Brazil put forth his proposals for settlement.

March 10 Sir B. N. Rau rejected the Brazilian proposals.

March 21 A revised US-UK draft resolution was presented to the Security Council.

March 29 Sir B. N. Rau rejects the arbitration proposals of the revised resolution also. Insisted that Pakistan had no right to be consulted in matters of demilitarization.

March 30 The Security Council adopted US-UK resolution.

April 2 Sir Mohammed Zafrullah Khan said Pakistan fully accepted the resolution.

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1951 (Continued)

April 30 Dr. Frank Graham was appointed United Nations representative for India and Pakistan.

April 30 Kashmir Council issued a proclamation calling for the convening of a Constituent Assembly and providing for elections.

May 29 The Security Council authorizes its President to write India and Pakistan regarding the Council's apprehension over the proposed Kashmir Constituent Assembly.

June 1-6 All Jammu and Kashmir National Conference unanimously endorses decision to convene a Constituent Assembly with elections set for September. Announced that the terms of the March 30 resolution were "wholly unacceptable".

June 26 Dr. Graham left New York for India. Kashmir Government spokesman states Graham would be received but that he could not establish headquarters in Srinagar.

July 3 India issued complaint to the Security Council over Pakistan violations of the cease-fire line.

July 10-14 India moved the bulk of her combat troops near Pakistan borders.

July 15 Prime Minister Liaquat Ali Khan wired Nehru strongly protesting troop movements. A protest was also delivered to the Security Council.

July 16 Prime Minister Nehru admitted troops had been moved near Pakistan borders, but insisted they were there for defense purposes only.

July 17 Nehru telegraphed Liaquat stating that India had no intention of taking aggressive action.

July 18 Pakistan troop movements completed.

July 26 Liaquat wired Nehru offering a five point peace proposal and extending an invitation to Nehru to visit Karachi.

July 30 Nehru rejected Liaquat's invitation in a return telegram, saying that withdrawal of Indian troops an unacceptable condition. Urged a joint "no-war"

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1951 (Continued)

declaration, and invited Liaquat to Delhi  
"without any pre-conditions".

August 1

Liaquat declined Nehru's invitation to come to Delhi. Denied Nehru's claim that Kashmir is Indian territory since accession still to be decided. Urged Nehru once again to accept five-point plan and renewed his invitation to Nehru to visit Karachi.

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